

FISCAL NOTE

SB 959 - HB 1243

March 21, 2003

SUMMARY OF BILL:

1. Provides that in any county that utilizes a computerized voting system:
 - a. poll watchers would be allowed to remain in the same room with election officials while such officials are retrieving the voting results from the voting machines. If there is not sufficient space for all poll watchers, then an equal number of poll watchers would be selected from the majority and minority parties if both parties have requested representation.
 - b. any person who possesses the technical expertise with respect to computer software would be given read-only access to inspect the current hardware platform and software application interface that a voter would utilize to verify its integrity.
2. allows voting machines affecting a contest of a primary election to be opened prior to the required 10-day lock period after an election, if written notice of such contest is provided.
3. authorizes the State Election Commission to:
 - a. file a complaint with the FBI on information of alleged tampering with ballots or voting machines which establishes probable cause of such violation(s); and
 - b. conduct or order a post election audit if a specific complaint is filed with the commission concerning the conduct of an election or there is reasonable cause to believe an audit should be conducted.
4. requires the election commission to permanently retain and store in a secure manner, cards utilized in transferring voting data from the computerized voting machines to the county election commission so that data on such cards remains free from tampering or destruction.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Exceeds \$400,000

Assumes that cards and cartridges utilized in transferring voting data from the computerized voting machines to the county election commission will be required to be maintained permanently. Currently, cartridges are reused by the counties.

For example, listed below are some of the counties that will incur an increase in local government expenditures to replace cartridges for each election. The cost of smaller counties will increase the total cost to local governments.

Shoup Machines

Shelby	1200 machines
Davidson	650 machines
Knox	330 machines
Montgomery	100 machines
Williamson	<u>130 machines</u>

2410 machines @\$140 per cartridge = \$337,400

Microvote machines

Sumner	137 machines
Sullivan	147 machines
Washington	120 machines
Wilson	<u>129 machines</u>

533 machines @ \$150 per cartridge = 79,950

Total \$417,350

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director